



October 8, 2019

United States Environmental Protection Agency
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

Attention: Mr. Wesley Hardegree
Environmental Engineer

Re: **Quarterly Progress Report #28 July-September 2019**
ERP Compliant Coke, LLC
3500 35th Avenue North
Birmingham, Jefferson County, Alabama
USEPA ID No. ALD 000 828 848
Terracon Project No. E1127096

Dear Mr. Hardegree:

On behalf of ERP Compliant Coke, LLC (ERP Coke), Terracon Consultants, Inc. (Terracon) has prepared Quarterly Progress Report #28 for the work completed from July 1, 2019 to September 30, 2019 for the above-referenced site. This progress report has been prepared in accordance with paragraph 53 of the Order on Consent with effective date of August 1, 2016.

PROGRESS REPORT (JULY 1, 2019 THROUGH SEPTEMBER 30, 2019)

Corrective Measures Implementation

- On July 11, 2019, ERP Coke received the final approval of Corrective Measures Implementation Work Plan for SMA 5. ERP Coke is working to finalize the financial assurance for SMA 5. The response to EPA Comments on Cost Estimates from CMI Work Plan for SMA 4 and SMA 5 were submitted to EPA on October 29, 2018.
- On July 11, 2019, ERP Coke received a Corrective Measures Implementation Work Plan for SMA 4 requesting modifications to the financial assurance cost estimates. The revised cost estimate was sent to EPA on August 12, 2019 with an additional revised cost estimate submitted on September 16, 2019. We are awaiting comments from EPA on the most recent cost estimate submitted.
- On July 16, 2019, Terracon sent the two copies of the Environmental Covenant (ECs) for SMA 4 and 5 to get signatures from ERP Coke, EPA, and ADEM. The Covenant had previously been agreed to by all parties. We are awaiting the fully executed covenants to

be returned to us from ADEM. Once they are received they will be recorded and copies sent to all parties.

- LUCP development is underway and once the Environmental Covenants are finalized, the draft LUCP can be completed and submitted to EPA for review.
- Regenesys has evaluated and refined the amount of chemicals to inject during the Pilot Test based on the soil sampling, and once we receive costs for the fluid extraction portion of the Pilot Test the injection will be scheduled.

Interim Measures

- Hydraulic Control System was running during this reporting period. The volume of water recovered from July 1, 2019 through September 30, 2019 was 400,020 gallons.
- Groundwater level measurements and groundwater samples were collected from the monitoring wells in August 2019. These results will be reported to EPA in the next Annual Report which is due by August 30, 2020.

PROJECTED WORK FOR NEXT REPORTING PERIOD (OCTOBER 1, 2019 THROUGH DECEMBER 31, 2019)

Corrective Measures Implementation

We anticipate the following activities related to the approved CMI Work Plan to occur:

- Financial Assurance for the approved CMI Work Plan for SMA 5 will be finalized by ERP Coke and submitted to EPA.
- EPA's review of the CMI cost estimate for SMA 4 will be completed.
- Environmental Covenant for SMA 4 and SMA 5 will be executed and recorded.
- Draft LUCP for SMA 4 and SMA 5 will be submitted to EPA.
- Initiation of Pilot Test.

Interim Measures/Remediating Monitoring

- Collect groundwater samples in November 2019.

Quarterly Progress Report #28 July-September 2019

ERP Coke ■ Birmingham, Alabama

October 8, 2019 ■ Terracon Project No. E1127096



CLOSING

If you should have any questions, please do not hesitate to contact us at (205) 942-1289.

Sincerely,

Terracon

Terrell W. Rippstein, AL-PG#8

Principal Geologist

Cc: Meredith Anderson – EPA Region 4

Mr. Don Wiggins – ERP Coke

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